

**FILED**

JUL 17 2025

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

CLERK U.S. DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

By \_\_\_\_\_  
DEPUTY CLERK

Jamie Osuna BD0868  
CSP-COR  
PO BOX 3476  
CORCORAN, CA 93212

Non-Party Intervenor/Real  
Party in Interest,

v.  
Dora Solares,  
Plaintiff,

v.  
Diaz, et al  
Defendants

No. 1:20-cv-00323-LHR-BAM

**NON-PARTY JAMIE OSUNA'S  
EMERGENCY MOTION FOR PROTECTIVE  
ORDER UNDER RULE 26(C), TO QUASH  
DEPOSITION NOTICE UNDER RULE  
45(D), TO VACATE ORDER  
COMPELLING TESTIMONY, AND  
REQUEST FOR ALTERNATIVE SERVICE**

**NOTICE OF REQUEST FOR ALTERNATIVE SERVICE:**

Mr. Osuna respectfully requests permission to serve and be served  
via alternative means as described in Section IV below.

**TO THE HONORABLE COURT:**

Non-party Jamie Osuna, currently incarcerated at CSP-  
Corcoran, respectfully moves this Court for a Protective Order  
under Rule 26(c) and to quash a deposition notice under Rule  
45(d), and to vacate any order purporting to allow his compelled  
participation without notice or hearing.

**I. INTRODUCTION**

Mr. Osuna does not raise these issues to impugn counsel, but  
to ensure his constitutional and privacy rights are protected in  
a highly sensitive and parallel criminal context.

On June 16, 2025, the Court granted leave to depose Mr.  
Osuna (ECF, Dckt. 170). Mr. Osuna was never served with the

1 underlying motion or given any opportunity to be heard. The first  
2 time he became aware of the Court's decision was after its entry.  
3 This constitutes a violation of Mr. Osuna's procedural due  
4 process rights under *Mullane v. Central Hanover Bank & Trust Co.*,  
5 339 U.S. 306 (1950). The deposition is pending, and the urgency  
6 of this motion is heightened.

7 **Pending Appeal Context:** Mr. Osuna has a related  
8 interlocutory appeal pending in the Ninth Circuit concerning  
9 prior compelled disclosures of privileged records/improper waiver  
10 of privileges. Although that appeal does not explicitly address  
11 the deposition now sought, the issues are intertwined. The appeal  
12 challenges the same pattern of discovery abuse, lack of notice,  
13 and disregard for constitutional protections that this motion  
14 seeks to prevent from recurring or expanding.

## 15 **II. LEGAL GROUNDS FOR PROTECTIVE RELIEF**

### 16 **A. NO NOTICE OR OPPORTUNITY TO BE HEARD**

17 Point of Authority: Mullane v. Central Hanover Bank & Trust  
18 Co., 339 U.S. 306 (1950) (notice and opportunity to be heard are  
19 fundamental to due process); *Goldberg v. Kelly*, 397 U.S. 254  
20 (1970) (procedural due process requires meaningful opportunity to  
21 be heard before rights are affected); Fed. R. Civ. P.  
22 45(d)(3)(A)(iii) (court must quash or modify subpoena that  
23 requires disclosure of privileged or protected matter if no  
24 exception or waiver applies).

25 Non-parties can only be compelled to testify via subpoena  
26 under Fed. R. Civ. P. 45 and must be afforded notice and a chance  
27 to object. Mr. Osuna was not given notice or served. As a result,  
28 the order authorizing the deposition lacks legal effect as to him

1 and violates the fundamental fairness standard set in *Goldberg v.*  
2 *Kelly*, 397 U.S. 254 (1970).

3 **B. IMPROPER "ATTORNEY'S EYES ONLY" ARGUMENT**

4 Point of Authority: *Seattle Times Co. v. Rhinehart*, 467 U.S.  
5 20, 35-36 (1984) (protective orders do not eliminate the risk of  
6 reputational harm from sensitive disclosures); *In re Roman*  
7 *Catholic Archbishop of Portland*, 661 F.3d 417, 425 (9th Cir.  
8 2011) (once discovery materials enter public record, irreparable  
9 harm may follow); *Jaffee v. Redmond*, 518 U.S. 1, 15-18 (1996)  
10 (mental health communications protected by federal privilege that  
11 is not easily overridden).

12 Darling has contended through multiple filings that any  
13 sensitive materials would remain confidential via for "attorney's  
14 eyes only." However, labeling such materials "attorney's eyes  
15 only" offers Mr. Osuna no meaningful protection. As a third party  
16 to his civil litigation and an incarcerated criminal defendant in  
17 a pending capital case, Mr. Osuna cannot review or respond to  
18 AEO-designated documents, nor use them to challenge civil  
19 allegations or correct misrepresentations. Meanwhile, counsel  
20 gains access to privileged mental health and custodial records  
21 for strategic purposes. AEO status does not preserve privilege—it  
22 merely prevents the person whose rights are at stake from  
23 defending those rights, while enabling selective and potentially  
24 prejudicial use by others. Despite Darling's contention of AEO-  
25 designation:

26 1. Darling quoted and referenced such materials in *Dckt.* 137  
27 and other filings;

28 2. The case has garnered public attention from media, including

1 Courthouse News, KGET17, and others, who echoed Darling's  
2 allegations, language, and filings;

3 3. The Supreme Court in *Seattle Times Co. v. Rhinehart*, 467  
4 U.S. 20 (1984), and the Ninth Circuit in *In re Roman*  
5 *Catholic Archbishop of Portland*, 661 F.3d 417 (9th Cir.  
6 2011), held that **protective orders are not substitutes** for  
7 respecting fundamental privileges, particularly when prior  
8 conduct suggests intent to publicize or leak.

9  
10 Moreover, because Plaintiff does not bear the burden of  
11 proof beyond a reasonable doubt in this civil matter, the volume  
12 and intrusiveness of discovery aimed at Mr. Osuna—a third party  
13 facing capital charges—exceeds what is proportional or necessary  
14 under Rule 26(b)(1).

15 Courts have repeatedly emphasized that discovery mechanisms  
16 cannot be repurposed to bypass the protections of a parallel  
17 criminal case. See *United States v. Kordel*, 397 U.S. 1 (1970);  
18 *United States v. Stringer*, 535 F.3d 929, 937–39 (9th Cir. 2008).  
19 Unlike typical civil discovery burdens, compelled psychiatric  
20 disclosures or custodial depositions here create unrecoverable  
21 constitutional harm—jeopardizing Mr. Osuna's Fifth and Sixth  
22 Amendment rights in a pending capital prosecution.

23 **C. USE OF DISCOVERY FOR IMPROPER PURPOSES**

24 Point of Authority: Fed. R. Civ. P. 26(b)(1) (discovery must  
25 be proportional and relevant); *Roadway Express, Inc. v. Piper*,  
26 447 U.S. 752, 763–64 (1980) (courts have inherent power to guard  
27 against abuse of judicial process); ABA Model Rules 4.4(a),  
28 8.4(c), California Rules of Professional Conduct 4.1, 4.4(a)

(lawyers must avoid misleading or prejudicial conduct).

Plaintiff's counsel, Erin Darling, is using discovery to:

1. **Force a waiver of privileges or create conflict** with Mr. Osuna's defense in *People v. Osuna*, Kings County Sup. Ct. Case No. 19CM-1882;
2. **Frame silence or objection as guilt** to sway jurors;
3. **Gain access to protected materials** under the pretense of discovery/deposition.

Darling has presented contested interpretations of the record, referred to Mr. Osuna using inflammatory language in filings. This pattern raises serious questions about potential abuse of process (see *Dckts.* 119, 133, 137, 150, 177) and publicly referenced sealed psychiatric content. These filings include parsed quotations from protected mental health evaluations and alleged sealed interrogations. Simultaneously, he contacted Mr. Osuna's criminal counsel offering to advocate for a life sentence in exchange for civil cooperation. This arguably is abuse of process and arguably violates California Rules of Professional Conduct 4.1, 4.4(a), and ABA Model Rules 8.4(c).

#### **D. IMPROPER CONTACT IN CRIMINAL CASE**

Point of Authority: CA Rules of Professional Conduct 1.7(b), 8.4(d) (avoid conflicts of interest and prejudicial conduct); ABA Model Rules 4.3, 4.4(a); Sixth Amendment (right to counsel); Fed. R. Civ. P. 17(c)(2) (court must appoint guardian ad litem for an unrepresented, mentally impaired person in appropriate cases).

Darling contacted prosecution and defense teams in Osuna's

1 capital case (*People v. Osuna*, 19CM-1882) proposing Osuna's help  
2 and cooperation in exchange for advocacy against the death  
3 penalty, as relayed to Osuna around April 2025. This back-channel  
4 communication raises ethical issues under CA RPC 1.7(b), 8.4(d)  
5 and violates Sixth Amendment safeguards. No guardian ad litem was  
6 appointed, despite clear mental health concerns. See Fed. R. Civ.  
7 P. 17(c)(2).

8       Importantly, once Mr. Osuna refused to cooperate or  
9 participate in the proposed exchange, Plaintiff's counsel  
10 escalated his tactics—pursuing increasingly aggressive discovery  
11 efforts targeting Osuna's psychiatric, legal, and privileged  
12 records. As the docket shows, through 2025, filings by Darling  
13 became more focused on compelling Osuna's deposition, referencing  
14 sealed evaluations, and repackaging KGET17 media statements from  
15 inmate Marcus Hume (CDCR #AM7003), whose prior testimony/  
16 interviews have been subject to credibility challenges/  
17 impeachment in other proceedings and/or media. Darling has a  
18 pending hearing to unseal Osuna's 2021 incompetency records with  
19 Kings County Superior Court [August 2025]. This demonstrates a  
20 coordinated effort to access protected mental health material  
21 across jurisdictions. This shift coincides with Mr. Osuna's  
22 refusal to cooperate and may reflect a departure from neutral  
23 civil discovery practices. Moreover, because Plaintiff does not  
24 bear the burden of proof beyond a reasonable doubt in this civil  
25 matter, the intensity and scope of discovery directed at Osuna—a  
26 third party—exceeds what is proportional or necessary under Rule  
27 26(b).

28       This post-refusal escalation raises serious concerns that

1 discovery is being used not for fact-finding but as a retaliatory  
2 tool, inconsistent with the principles of proportionality and  
3 fairness under Rule 26(b) and the ethical duties imposed by Rule  
4 4.4(a).

5 **E. RETALIATORY USE OF CEASE-AND-DESIST LETTER**

6 Point of Authority: California Constitution Art. I, §  
7 3(b)(1) (protection from government retaliation for petitioning);  
8 CA RPC 3.4(e), ABA Rule 8.4(d) (prohibiting filing frivolous or  
9 retaliatory pleadings); *Chambers v. NASCO, Inc.*, 501 U.S. 32, 45-  
10 46 (1991) (courts may sanction bad faith or abusive conduct in  
11 litigation).

12 Darling received a cease-and-desist letter from Osuna on  
13 July 9, 2025. Around within an hour of receiving it, he filed it  
14 publicly on the docket (Dckt. 194), without proof of service or  
15 explanation. This act appears retaliatory, in violation of  
16 California Constitution Art. I, § 3(b)(1) (right to petition  
17 without retaliation), CA RPC 3.4(e), and ABA Rule 8.4(d).

18 **F. IMPROPER MOTIVES AND DISCOVERY ABUSE**

19 Point of Authority: Fed. R. Civ. P. 26(g)(1)(B) (discovery  
20 must not be interposed for improper purpose, such as to harass or  
21 needlessly increase cost); *Hardrick v. Legal Services Corp.*, 96  
22 F.R.D. 617, 619 (D.D.C. 1983) (court may limit or deny discovery  
23 if purpose appears abusive or harassing).

24 Darling relies on a speculative theory that decedent Luis  
25 Romero filed a grievance naming Defendant Sgt. Burns. In fact,  
26 records indicate no such grievance exists and has not been  
27 produced. The actual grievance and 42 U.S.C. § 1983 against  
28 Defendant Sgt. [Burnes] was filed by Osuna in February 2019

(*Asuna v. Brown*, E.D. Cal.) Using this false/frivolous narrative to pursue Osuna's records violates discovery standards under Fed. R. Civ. P. 26(b)(1).

**G. MEDIA COORDINATION AND BAD FAITH TACTICS**

Point of Authority: *Gentile v. State Bar of Nevada*, 501 U.S. 1030 (1991) (attorney speech in pending cases is subject to regulation if it risks prejudice); Model Rule 3.6(a) (lawyers shall not make extrajudicial statements that materially prejudice proceedings); *Yick Wo v. Hopkins*, 118 U.S. 356 (1886) (facially neutral actions applied discriminatorily violate Equal Protection).

While this motion makes no claim of formal coordination between Plaintiff's counsel and media outlets, it highlights an ongoing public dynamic where Plaintiff and/or her family actively shape press narratives—often omitting crucial facts. Darling's filings closely mirror the public reporting by KGET17 and Olivia LaVoice, whose coverage:

- Echoes language from Darling's filings;
- Publishes materials closely tracking confidential and sealed filings;
- Presents a one-sided account omitting the decedent Luis Romero's violent background—including prior assaults on fellow inmates and conviction for the homicide of a minor.
- Bases discovery off KGET17/LaVoice's podcast and reporting that his own client was featured on/in; and even cites KGET17 as his source of information on Osuna. (*Dckt.*96);
- Includes commentary and imagery that may shape public



1 perception in a prejudicial manner toward Mr. Osuna while  
2 obscuring the fact that Romero was not due for parole for at  
3 least ten more years (2025) due to his ongoing violence  
4 against others.

5  
6 This selective media narrative contributes to public  
7 prejudice against Mr. Osuna, while Plaintiff's counsel  
8 simultaneously claims discovery is purely for private legal use.  
9 The Court should consider that Darling's filings have already  
10 influenced public commentary, thereby undermining any assertion  
11 that sensitive discovery will remain confidential.

12 Importantly, while Romero's history of violence is never  
13 mentioned, Osuna—a third-party—is labeled a “killer” and  
14 “psychopath” and cast as the central figure of this litigation,  
15 overshadowing the official Defendants. This asymmetry is not just  
16 misleading, it is discriminatory: it privileges the reputational  
17 interests of government actors while vilifying a minority,  
18 mentally ill, unrepresented inmate.

19 Courts have consistently warned against litigation that  
20 manipulates public forums or relies on selective enforcement.  
21 When advocacy leverages inflammatory details about a third  
22 party's background while omitting materially relevant conduct by  
23 others, the risk of improper influence grows. See *Gentile*, 501  
24 U.S. at 1075.

25 For these reasons, the Court should scrutinize Plaintiff's  
26 selective narratives and ensure that discovery, privilege, and  
27 media conduct remain properly balanced and constitutionally  
28 constrained.

**H. FIFTH AMENDMENT SELF-INCRIMINATION RISK**

Point of Authority: *Estelle v. Smith*, 451 U.S. 454, 468-69 (1981) (statements made without Miranda warnings or defense counsel present may violate Fifth and Sixth Amendments); *Campbell v. Gerrans*, 592 F.2d 1054 (9th Cir. 1979); *Miranda v. Arizona*, 384 U.S. 436 (1966); *United States v. Kordel*, 397 U.S. 1 (1970) (civil discovery may not be used to circumvent constitutional rights in a related criminal case).

Osuna's testimony risks direct or indirect self-incrimination. He is an active defendant in a capital case. *Estelle v. Smith*, 451 U.S. 454 (1981), *Campbell v. Gerrans*, 592 F.2d 1054 (9th Cir. 1979), and *Miranda v. Arizona*, 384 U.S. 436 (1966), emphasize the need for protection when compelling statements from incarcerated, mentally ill individuals.

**I. PSYCHOTHERAPIST-PATIENT PRIVILEGE APPLIES**

Point of Authority: *Jaffee v. Redmond*, 518 U.S. 1 (1996) (federal recognition of psychotherapist-patient privilege); California Evidence Code §§ 1014, 1018 (privileged communications between patient and psychotherapist).

Darling seeks mental health and competency records. These are protected by California Evidence Code §§ 1014, 1018 and federal common law. *Jaffee v. Redmond*, 518 U.S. 1 (1996), established an absolute federal privilege protecting such communications, which cannot be waived casually or without clear notice and consent.

**J. UNDUE BURDEN AND SECURITY RISKS**

Point of Authority: *United States v. Kordel*, 397 U.S. 1, 11-13 (1970); *United States v. Stringer*, 535 F.3d 929, 937-39 (9th

1 Cir. 2008) (civil discovery cannot be used to bypass criminal  
2 procedure); *Baxter v. Palmigiano*, 425 U.S. 308 (1976) (inmates  
3 retain Fifth Amendment protections); *Estelle v. Smith*, 451 U.S.  
4 at 470-71 (involuntary custodial testimony is constitutionally  
5 suspect).

6 Osuna is a Level IV inmate. The logistical demands and  
7 coercive environment for any deposition involve CDCR officers,  
8 many of whom are expected to testify against him in 19CM-1882.  
9 This overlap makes any compelled deposition presumptively  
10 coercive. See *United States v. Kordel*, 397 U.S. 1 (1970), *United*  
11 *States v. Stringer*, 535 F.3d 929 (9th Cir. 2008).

12 **K. DARLING'S PUBLIC PERSONA VS. ACTUAL CONDUCT**

13 Point of Authority: ABA Model Rule 8.4(c) (lawyer shall not  
14 engage in conduct involving dishonesty, fraud, deceit or  
15 misrepresentation); CA RPC 8.4(c); Model Rule 1.2(d) (lawyer must  
16 not use legal process to harass or maliciously injure another).

17 Publicly, Darling brands himself as a civil rights attorney  
18 advocating for marginalized groups, including racial minorities  
19 and victims of law enforcement misconduct. However, in this case:

20  
21 • He treats CDCR correctional officers and staff, the actual  
22 Defendants, with professional neutrality;

23 • While he aggressively targets third party Osuna—an  
24 indigent Hispanic inmate—with invasive discovery and dehumanizing  
25 language; while simultaneously blocking Osuna's rights on all  
26 fronts, including opposing Osuna's interlocutory appeal, failing  
27 to give any service regarding the dozens of motions, filings and  
28 other proceedings, that seek Osuna's privileged materials, to

1 compel his cross-examination, inter alia.

2 • Darling has failed to file and/or equally aggressively  
3 pursue any *Pitchess* motion to obtain Defendants'—law/correctional  
4 enforcement—background, even referring to it in one docket entry  
5 as a "lower priority," unlike unrepresented third-party Osuna's  
6 confidential/privileged records, inter alia.

7 • Uses inflammatory language, derogatory references to and  
8 unverified/unofficial derogatory framing of Osuna's background as  
9 if Osuna were the defendant while never referencing the actual  
10 Defendants' backgrounds, characters, inter alia.

11

12 Instead, Darling focuses almost exclusively and  
13 discriminatorily on Osuna, demonstrating a prejudicial,  
14 scapegoating litigation approach, shielding government actors  
15 while vilifying a minority third party who lacks counsel and  
16 procedural protections. This asymmetry is ethically troubling and  
17 results in a litigation posture that reinforces a media narrative  
18 rather than focuses solely on the civil claims at issue.

19

20 **Examples of Differential and Discriminatory Treatment of Osuna:**

21 1. **Darling uses inflammatory, dehumanizing language** to describe  
22 Osuna—calling him a "killer" or "psychopath" and focusing on  
23 his alleged past violence—while entirely ignoring the  
24 conduct histories of government actors named as the  
25 Defendants, despite ample authority to request those  
26 records; this also includes the Decedent's violent  
27 background against inmates and killing of a minor;

28 2. **The media mirrors this narrative**, reinforcing the image of

1 Osuna as a public threat while omitting the fact that Romero  
2 was not due for parole for another 10 years and had a  
3 significant documented record of violence within the  
4 institution.

5 **3. Plaintiff's discovery demands disproportionately target**

6 **Osuna**, a non-party, while excusing or soft-pedaling  
7 inquiries into the actual Defendants' conduct, motivations,  
8 or backgrounds.

9 **4. Osuna's privacy, psychiatric, and legal rights are**

10 **consistently disregarded**, while protective orders and  
11 procedural respect are afforded to institutional parties.

12 **5. Media coordination** (explicit or implicit) centers public  
13 narratives around Osuna's criminal charges rather than the  
14 alleged civil rights violations by correctional staff.

15 **6. No guardian ad litem has been requested or appointed,**

16 despite Osuna's mental health diagnoses, while Darling  
17 appears to orchestrate indirect negotiations with criminal  
18 counsel outside of formal safeguards.

19 **7. Plaintiff's counsel included a highly publicized photograph**

20 of Mr. Osuna—unrelated to these civil allegations—in the  
21 original and some amended complaints and described him as a  
22 "psychopath." This tactic emphasized Mr. Osuna's criminal  
23 identity in a way that may be perceived as prejudicial and  
24 reinforced a prejudicial narrative while omitting any  
25 corresponding context, photographs, or misconduct history of  
26 the actual Defendants or the Decedent. It exemplifies the  
27 discriminatory pattern of dehumanizing Osuna while shielding  
28 institutional actors from scrutiny.

1  
2       **Legal and Ethical Concern:**

3       **Discriminatory litigation strategies that exploit the**  
4 **vulnerable status of a racial minority, incarcerated, mentally**  
5 **impaired individual, while shielding state actors from scrutiny,**  
6 **not only undermine the credibility of civil rights litigation—**  
7 **they raise serious constitutional concerns under the Equal**  
8 **Protection Clause and due process doctrine.**

9       Courts have recognized in *Yick Wo v. Hopkins*, 118 U.S. 356  
10 (1886), that facially neutral rules or litigation strategies can  
11 become unlawful when enforced in a deliberately unequal or  
12 targeted manner. When a civil rights plaintiff privileges the  
13 reputation and interests of government agents over those of a  
14 Hispanic third party—while leveraging inflammatory discovery,  
15 sealed documents, and public narratives to stigmatize that third  
16 party—courts must intervene.

17                   **III. RELIEF REQUESTED**

18       Mr. Osuna requests that this Court stay any deposition  
19 pending an evidentiary hearing on privilege, necessity, and  
20 protective protocols.

21       Mr. Osuna respectfully requests that the Court:

- 22       1. **Quash or vacate** the June 16, 2025 order authorizing his  
23       deposition;  
24       2. **Enter a protective order** under Rule 26(c) prohibiting any  
25       deposition or discovery from Osuna without:  
26               a. Proper notice, hearing, and subpoena;  
27               b. Opportunity to be heard on privilege and  
28       constitutional rights;

1 c. Proof of necessity and relevance;

2 **3. Declare any prior waiver of Osuna's privileges as invalid**  
3 absent notice and hearing;

4 **4. Bar any public filing or discussion** of Osuna's psychiatric  
5 or sealed materials;

6 **5. Grant any other relief** this Court deems just and proper.

7 **6. That this Court take judicial notice** of the pending  
8 interlocutory appeal and refrain from issuing rulings that  
9 may create jurisdictional overlap or duplicative prejudice.

10  
11 **IV. REQUEST FOR ALTERNATIVE SERVICE**

12 Due to Mr. Osuna's current incarceration at CSP-Corcoran and  
13 his pro se status, traditional methods of service are impractical  
14 and often result in unreasonable delay. Additionally, it is  
15 frequently difficult for Mr. Osuna to locate or rely upon others  
16 who are willing and able to sign or verify traditional proof of  
17 service forms. Authorizing alternative service via court-  
18 facilitated ECF entry will ensure transparency, timeliness, and  
19 reliability of notice to all parties without imposing unrealistic  
20 burdens on an incarcerated, unrepresented litigant.

21 Furthermore, Mr. Osuna faces ongoing institutional barriers  
22 that further prevent meaningful access to regular service  
23 procedures. At present, CSP-Corcoran staff—particularly the  
24 Litigation Coordinator/staff [R. Laber; P. Williams; Dan]—have  
25 refused to process or forward legal documents on his behalf,  
26 including but not limited to filings, subpoenas, and trust  
27 account statements required for federal or state court  
28 submissions. This refusal has effectively denied Mr. Osuna access

1 to basic litigation functions and imposed unconstitutional  
2 barriers to participation in legal proceedings affecting his  
3 rights. These obstructions, combined with the prison's  
4 inconsistent mail procedures and limited access to legal  
5 assistance, make it functionally impossible for Mr. Osuna to  
6 satisfy traditional service requirements.

7 Accordingly, Mr. Osuna respectfully requests that the Court  
8 authorize alternative service under Fed. R. Civ. P. 5(b)(2)(E)  
9 and any applicable local rules. He requests permission to effect  
10 service, and receive service, by mailing all filings via United  
11 States Postal Service (USPS) to the Clerk of the Court, who will  
12 then docket the filings into the CM/ECF system. Once filed, the  
13 ECF system will automatically serve all parties of record  
14 pursuant to the Court's standard electronic service procedures.  
15 This ensures proper and timely service to all parties,  
16 accommodates institutional constraints, and avoids undue delay or  
17 prejudice due to Osuna's inability to use electronic filing  
18 systems.

19  
20 Respectfully submitted July 15, 2025,

21   
22  
23

24 p.p. Jamie Osuna (CDCR BD0868)  
25  
26  
27  
28



**PROOF OF SERVICE**

I, Jamie Osuna, CDCR No. BD0868, declare:

I am a self-represented third party for this case, currently incarcerated at California State Prison-Corcoran (CSP-COR), located at P.O. Box 3476, Corcoran, CA 93212.

July 15, 2025, I served the attached:

**NON-PARTY JAMIE OSUNA'S MOTION FOR PROTECTIVE ORDER UNDER RULE 26(C), TO QUASH DEPOSITION NOTICE UNDER RULE 45(D), TO VACATE ORDER COMPELLING TESTIMONY, AND REQUEST FOR ALTERNATIVE SERVICE**

Served to:

**Clerk of the Court**

U.S. District Court  
Eastern District of California  
2500 Tulare Street, Suite 1501  
Fresno, CA 93721

Due to my current incarceration and pro se status, I am unable to effect service directly on counsels of record. I therefore respectfully request that the Clerk docket this filing and serve it via CM/ECF in accordance with the Court's standard procedures for filings received by mail from incarcerated parties.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

A handwritten signature in black ink, appearing to read "Jamie Osuna", with a stylized flourish at the end.

Jamie Osuna  
CDCR No. BD0868  
California State Prison - Corcoran  
P.O. Box 3476  
Corcoran, CA 93212